

Message Text

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FM AMEMBASSY CONAKRY

TO SECSTATE WASHDC IMMEDIATE 3706

C O N F I D E N T I A L SECTION 1 OF 2 CONAKRY 2140

AF ONLY

E.O. 11652: XGDS-3

TAGS: SHUM, GV

SUBJECT: HUMAN RIGHTS IN GUINEA - REPORT TO CONGRESS

REF: STATE 271659

1. EMBASSY BELIEVES THAT RELEASE OF REFTEL DRAFT WOULD
PLAINLY HAVE A VERY BAD EFFECT ON OUR RELATIONS WITH
GUINEA. EMBASSY SUGGESTS A MODIFIED VERSION (BELOW).

2. WHILE RETAINING FACTUAL PICTURE AS WE SEE IT, NEW
DRAFT ELIMINATES CONJECTURE OR UNDOCUMENTABLE ASSERTIONS,
INTRODUCES TERMINOLOGY WHICH IS LESS ACCUSATORY AND MORE
COMPREHENSIBLE FOR GUINEANS, REDUCES PATRONIZING TONE,
UPDATES SOME FACTS (E.G. JEAN-PAUL ALATA IS NOT LEGALLY
A "FRENCHMAN" BUT A GUINEAN CITIZEN), PLACES OTHERS IN
HISTORICAL CONTEXT, AND AIMS AT GREATER COMPLETENESS,
OBJECTIVITY, AND RESPONSIBILITY, WHICH WE PRESUME

CONGRESS DESIRES. DRAFT MUST BE DEFENSIBLE BOTH TO
U.S. PRESS AND PUBLIC AND TO GUINEAN AUTHORITIES.
WITH GOG WE AIM TO USE CURRENT "MINI-ENTENTE" IN
ECONOMIC AND OTHER MATTERS QUIETLY BUT STEADILY TO
PROMOTE MORE RESPECT FOR HUMAN RIGHTS. IT IS IN NO
ONE'S INTEREST, LEAST OF ALL THOSE WHO RIGHTLY DENOUNCE
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GUINEA'S PAST HUMAN-RIGHTS RECORD, TO UPSET
UNNECESSARILY THE VERY PROMISING OPENING FOR CONSTRUC-
TIVE DIALOGUE WHICH THE U.S. NOW HAS AVAILABLE. A
PUBLIC ASSESSMENT WHICH IS LESS THAN SCRUPULOUSLY
ACCURATE AND BALANCED WOULD HAVE THIS UNFORTUNATE
EFFECT.

3. BEGIN TEXT. HUMAN RIGHTS CONDITIONS IN GUINEA:

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

A. TORTURE: JEAN PAUL ALATA'S BOOK "AFRICAN PRISON" AND A REPORT BY THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS DESCRIBE CASES OF TORTURE DURING THE EARLY 1970'S. IT ALLEGEDLY WAS USED UNDER HIGH-LEVEL SANCTION WHEN TAILORED CONFESSIONS WERE REQUIRED. NOT ONLY GUINEANS BUT FOREIGNERS REPORTEDLY WERE TORTURED. HOWEVER, HARD EVIDENCE IS LACKING ABOUT THE MORE RECENT PERIOD.

B. CRUEL, INHUMAN OR DEGRADING PUNISHMENT: AMNESTY INTERNATIONAL HAS REPORTED THAT PRISON CONDITIONS ARE SAID TO BE "EXTREMELY BAD". REPORTS PERSIST THAT PRISONERS ARE IN SOME CASES DEPRIVED OF FOOD AND WATER. PUBLIC BEATINGS OR WORSE FOR THIEVERY OR OTHER MISDEMEANORS HAS OCCASIONALLY OCCURRED, PRIMARILY TO DETER CRIME BY HARSH EXAMPLE. THOSE FORCED TO CONFESS TO POLITICAL CRIMES ARE PUBLICLY DENOUNCED.

C. ARBITRARY ARREST OR IMPRISONMENT: THE GOVERNMENT OCCASIONALLY PURGES THOSE SUSPECTED OF PLOTTING AGAINST IT. PUBLIC OFFICIALS WHO FALL INTO DISFAVOR ARE SUBJECT TO DETENTION. THE NUMBER OF "POLITICAL" PRISONERS HAS
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BEEN ESTIMATED AT POSSIBLY MORE THAN 1,000 BUT NO SOLID RECENT DATA ARE AVAILABLE. AMNESTY INTERNATIONAL REPORTED THAT THE TOTAL NUMBER OF POLITICAL PRISONERS IN GUINEA IN 1975 MAY HAVE BEEN AROUND 2,000. THIS FIGURE INCLUDED SOME FORMER SENIOR GOVERNMENT OFFICIALS. THE GUINEAN OFFICIAL GAZETTE ANNOUNCED THE RELEASE OF 128 PRISONERS IN SEPTEMBER 1976, 150 MORE IN JANUARY 1977 AND AN ADDITIONAL 89 BETWEEN FEBRUARY AND JULY 1977. THESE APPARENTLY INCLUDED POLITICAL PRISONERS. ADDITIONAL PRISONERS WERE REPORTED RELEASED DURING THE MAY 14 CELEBRATION OF THE 30TH ANNIVERSARY OF THE GUINEAN DEMOCRATIC PARTY, REPORTEDLY INCLUDING SOME POLITICAL PRISONERS. FOLLOWING THE AUGUST 1977 MARKET WOMEN'S RIOTS, SEVERAL HUNDRED WERE BRIEFLY DETAINED BUT ALL WERE RELEASED. SENSATIONALISTIC REPORTS OF WIDESPREAD EXECUTIONS WERE UNFOUNDED. SEVERAL SENIOR OFFICIALS WERE IMPRISONED ON CHARGES OF CORRUPTION. THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS HAS SUBMITTED A COMPLAINT ABOUT GUINEA TO THE UNITED NATIONS HUMAN RIGHTS COMMISSION. THE DOCUMENT IS ON BEHALF OF FRENCH CITIZENS IMPRISONED BETWEEN 1970 AND 1975 AND SEVERAL HUNDRED IMPRISONED GUINEANS.

D. DENIAL OF PUBLIC FAIR TRIAL: TRIAL BY POPULAR ASSEMBLIES WAS WIDESPREAD IN THE EARLY 1970'S. THE ACCUSED WAS USUALLY PRESUMED GUILTY AND FORCED TO CONFESS OR SIMPLY PUNISHED. CONSTITUTIONAL AND REGULATORY PROVISIONS FOR JUDICIAL PROCEDURES EXIST BUT SEEM NOT TO HAVE BEEN APPLIED IN MANY CASES.

E. INVASION OF THE HOME: POLICE APPARENTLY DO ENTER HOMES IN PURSUIT OF SUSPECTS. PROPERTY OF PRISONERS, INCLUDING THEIR HOMES, HAS SOMETIMES BEEN TURNED OVER TO OTHERS, FORCING THEIR RELATIVES TO LIVE ELSEWHERE.

2. RESPECT FOR CIVIL AND POLITICAL LIBERTIES:
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A. FREEDOM OF THOUGHT, RELIGION AND ASSEMBLY: THE GOVERNMENT DISCOURAGES DISSENT FROM ITS POLITICAL AND IDEOLOGICAL LINE. OFFICIAL POLICIES OPPOSE RACIAL DISCRIMINATION. THE GOVERNMENT IN LATE 1976 CONDUCTED A BRIEF CAMPAIGN AGAINST ALLEGED "RACISM" (DISSENT OF THE FOULAH TRIBE. SOME WERE DETAINED OR DEMOTED FROM GOVERNMENT POSITIONS. ISLAM IS OFFICIALLY ENCOURAGED, AND CHRISTIANITY TOLERATED. IN AUGUST 1977 WHEN MARKET WOMEN RIOTED IN PROTEST AGAINST ECONOMIC SHORTAGES AND PETTY CORRUPTION, AUTHORITIES RESPONDED IN A RESTRAINED MANNER.

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C O N F I D E N T I A L SECTION 2 OF 2 CONAKRY 2140

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B. FREEDOM OF MOVEMENT WITHIN A COUNTRY, FOREIGN TRAVEL AND EMIGRATION POLICIES: MOVEMENT IS SUBJECT TO AN EXTENSIVE POLICE AND PAPERWORK SYSTEM. LEGAL ENTRY INTO AND EXIT FROM THE COUNTRY IS CONTROLLED. HOWEVER, THE BORDERS ARE POROUS AND MORE THAN ONE MILLION GUINEANS ARE BELIEVED TO HAVE DEPARTED SINCE 1958 BECAUSE OF POLITICAL OR ECONOMIC CONDITIONS.

C. DEMOCRATIC PROCESSES INSURING THE FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS: THE PEOPLE ARE REGULARLY EXHORTED TO ADHERE TO A CONTINUING "REVOLUTION" WHICH THE SINGLE PARTY-STATE CONDUCTS IN THEIR NAME. THERE IS LITTLE FREEDOM TO DISSENT OR NOT TAKE PART IN

REGIME-DIRECTED POLITICAL ACTIVITY WHICH GUIDES MOST ASPECTS OF ECONOMIC AND ADMINISTRATIVE LIFE. HOWEVER, PRESIDENT TOURE SEES MANY PETITIONERS AND SUPPLICANTS, AND THE GOVERNMENT CONTENTS THAT THE PARTY-STATE STRUCTURE AND POPULAR REFERENDUMS PROVIDE ADEQUATE REFLECTION OF PEOPLE'S WISHES.

3. RECENT TRENDS IN GOVERNMENT POLICIES RELATING TO THE FULFILLMENT OF BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION:

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A. POLICIES DESIGNED TO RESPOND TO THE NEEDS OF THE POOR: GOVERNMENT POLICY IS SINCERELY DIRECTED TOWARDS IMPROVING THE WELL-BEING OF THE PEOPLE. A STRONG ATTEMPT IS MADE TO IMPROVE FOOD PRODUCTION, HEALTH AND EDUCATION. IDEOLOGY IS A PREDOMINANT FACTOR IN PUBLIC POLICY *9RMATION, HOWEVER, AND FREQUENTLY LIMITS OPTIONS OTHERWISE OPEN FOR ORDERLY, RATIONAL ECONOMIC DEVELOPMENT.

POLICIES WHICH TEND TO IGNORE THE NEEDS OF THE POOR: GOVERNMENT POLICIES ARE APPLIED UNDER IDEOLOGICAL CRITERIA. AGRICULTURAL PRODUCTION CAMPAIGNS FALL SHORT BECAUSE OF LACK OF PROFIT INCENTIVES. IN THE PAST LIMITED CONTACT WITH THE OUTSIDE WORLD HAS RETARDED DEVELOPMENT OF ADEQUATE HOUSING, EDUCATION AND HEALTH CARE. AN UNREALISTIC EXCHANGE RATE DISCOURAGES FOREIGN TRADE. THE GOVERNMENT IS AWARE OF THE URGENCY TO DO MORE TO SATISFY THE NEEDS OF THE POOR, AND HAS INCREASINGLY TURNED TOWARD THE WEST ECONOMICALLY TO ASSIST DEVELOPMENT.

B. CORRUPTION OF SUCH A NATURE THAT SIGNIFICANT RESOURCES ARE DIVERTED TOWARDS THE NATION'S ELITES AND AWAY FROM THE MAJORITY OF THE POPULATION: GIVEN THE UNSATIS-

FACTORY STATE OF THE ECONOMY, CORRUPTION EXISTS BUT IT IS THE POLICY OF THE GUINEAN GOVERNMENT TO STAMP OUT SUCH CORRUPTION. THE AUGUST MARKET WOMEN'S DEMONSTRATIONS REVEALED EXTENSIVE PETTY BLACKMARKETING AND OTHER ABUSES. PRESIDENT TOURE'S LIFE STYLE IS AUSTERE IN COMPARISON TO HIS FELLOW AFRICAN LEADERS.

4. LEVEL OF GOVERNMENT'S RESPONSIBILITY FOR FOREGOING HUMAN RIGHTS RECORD:

A. EXTENT TO WHICH POSITIVE HUMAN RIGHTS MEASURES
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ARE ARTICULATED AS PUBLIC POLICY: THE REGIME THINKS OF HUMAN RIGHTS PRIMARILY IN TERMS OF AFRICAN DIGNITY AND INDEPENDENCE, PROGRESS OF THE PEOPLE AS CONTRASTED WITH INDIVIDUALS, AND AN END TO "EXPLOITATION OF MAN BY MAN". WESTERN MIDDLE-CLASS CONCEPTS OF HUMAN RIGHTS ARE CRITICIZED AS IMPERIALIST AND SUBJUGATING. HOWEVER, IN DISCUSSIONS ON HUMAN RIGHTS THE GUINEANS HAVE CITED THEIR CONSTITUTION WHICH GUARANTEES FREEDOM OF CONSCIENCE, SPEECH, PRESS, ASSEMBLY, BALLOT, PARLIAMENT, LABOR UNION ACTION, ASSOCIATION, DEMONSTRATIONS AND CORRESPONDENCE. (THESE RIGHTS ARE VALID ONLY UNDER CONDITIONS PRESCRIBED BY LAW). THE CONSTITUTION ALSO BANS ARBITRARY ARRESTS AND VIOLATION OF DOMICILES. GUINEAN OFFICIALS HAVE ACKNOWLEDGED TAKING REPRESSIVE MEASURES BUT JUSTIFIED THEM AS ACTIONS AGAINST "WAR CRIMINALS", "THE FIFTH COLUMN", OR "COUNTERREVOLUTIONARIES."

B. EXTENT TO WHICH HUMAN RIGHTS VIOLATIONS ARE CONDONED AS PUBLIC POLICY BECAUSE OF SECURITY OR OTHER JUSTIFICATIONS: THE GOVERNMENT REGULARLY STRESSES SECURITY THREATS AS JUSTIFICATION FOR APPARENT VIOLATIONS OF HUMAN RIGHTS. ALTHOUGH GUINEAN LEADERS MAKE REFERENCE TO INTERNAL OPPOSITION TO THE GOVERNMENT OR A "FIFTH COLUMN" THERE IS LITTLE CREDIBLE EXTERNAL SECURITY THREAT TO GUINEA AT PRESENT. SUCH INCIDENTS AS THE JANUARY 1977 MERCENARY ATTACK ON BENIN AND CONTINUED MANEUVERINGS BY GUINEAN EXILES IN CERTAIN EUROPEAN AND AFRICAN COUNTRIES CAUSE GUINEA TO FEAR FOR ITS SECURITY HOWEVER. THE GOVERNMENT ALSO JUSTIFIES ITS ACTIONS ON GROUNDS OF PROTECTING THE "REVOLUTION", I.E. REQUIRING THE PEOPLE TO ADHERE TO THE GOVERNMENT POLICIES BASED ON DESIGNATED SOCIAL, POLITICAL AND ECONOMIC THEORIES.

5. WILLINGNESS AND PAST RECORD OF THE GOVERNMENT REGARDING INDEPENDENT, OUTSIDE INVESTIGATION OF ALLEGED
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HUMAN RIGHTS VIOLATIONS: AN INTERNATIONAL INVESTIGATION
WAS MADE OF THE 1970 MERCENARY ATTACK ON GUINEA, AND
THE GUINEAN GOVERNMENT HAS ON OCCASION UNDERLINED ITS

WILLINGNESS FOR OUTSIDERS TO OBSERVE ITS HUMANITARIAN
PRACTICES, WHICH IS ENCOURAGING. NO SUCH
INVESTIGATION IS KNOWN TO HAVE TAKEN PLACE YET. INFORMATION WHICH
HAS COME OUT THROUGH RELATIVES OF POLITICAL PRISONERS,
EXILES AND RELEASED POLITICAL PRISONERS FORMS THE BASIS
OF REPORTS SUCH AS THAT THE ILHR SUBMITTED TO THE
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